

AGENDA
TOWN BOARD AND WATER BOARD MEETING

July 1, 1998
Wednesday

Town Hall
7:30 P.M.

1. MINUTES

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

2. Motion-Authorize Change Order #1-R.M. Lill, Inc.-Union Avenue Water Storage Tank Rehabilitation Project
3. Motion-Approving establishment of Extension No. 12-NWCWD-Mt. Airy Mobile Home Park

SANITATION DEPARTMENT

4. Receive and file-Notice of Claim
5. Receive and file-Notice of Claim
6. Motion-Authorization for Supervisor to execute Easement Agreement-Sewage Ejection Pump-SD #23

GENERAL

7. Motion-Authorization to purchase various recreation equipment
8. Motion-Authorize issuance of solicitors permit
9. Motion-Waiver of Public Hearing-Condemnation actions-Town wide Drainage Project Phase 2B
10. Motion-Authorization for Supervisor to execute Easement-Town wide Drainage Project Phase 2B & 2A
11. Receive and file-Petition for zone change-Section 17, Block 4, Lots 15, 16 & 17
12. Receive and file-Notice of Claim
13. Receive and file-Town wide Drainage Project Easements-Phase 2A
14. Motion-Advertise for fuel oil bids

15. OFFICIALS REPORTS

16. PUBLIC FORUM

17. ADJOURN

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., JULY 1, 1998; 7:30 P.M.
NEW WINDSOR, TOWN HALL
NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Meyers, Councilman Finnegan,
Councilwoman Mullarkey, Councilwoman
Townsend, Councilman Green

OTHER OFFICIALS PRESENT: Police Chief Koury, Comptroller Reis, Highway
Superintendent Pullar

SALUTE TO FLAG

Supervisor Meyers called to order the Regular Town Board and Water Board Meeting
and presided over same.

#1 On Agenda – MINUTES

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town
Board of the Town of New Windsor approve the Minutes of the Public Hearing regarding
the Proposed Establishment of Extension #12 to the New Windsor Consolidated Water
District and the Public Hearing regarding the Orange County Community Development
Block Grant FY-99 and Regular Town Board and Water Board Meeting all held on June
3, 1998, as per the copies posted on the Town Clerk's bulletin board in the Town Hall
and same distributed to each of the Town Board Members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

NONE

HIGHWAY DEPARTMENT

NONE

WATER DEPARTMENT

#2 On Agenda – Motion-Authorize Change Order #1-R.M. Lill, Inc. – Union Avenue
Water Storage Tank Rehabilitation Project

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town
Board of the Town of New Windsor authorize Change Order #1 submitted by R.M. Lill,
Inc. for additional repairs to the Union Avenue Concrete Water Storage Tank
Rehabilitation Project. Net increase resulting from this change order is \$86,280.00. As
per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C. under
the date of June 24, 1998.

Roll Call: All Ayes

Motion Carried: 5-0

#3 On Agenda – Motion-Approving Establishment of Extension No. 12 – NWCWD –
Mt. Airy Mobile Home Park

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town
Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, a Petition was submitted to the Town Board of the Town of New Windsor
by the property owners of the Mt. Airy Mobile Home Park to service the existing
residential mobile home park with town water; and

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WHEREAS, the Engineers for the Town, McGoey, Hauser and Edsall Consulting Engineers P.C. prepared a map, plan and study entitled "Water System Improvements for Proposed Water District No. 12 to Serve Lands of Mount Airy Mobile Home Park" dated January 27, 1998; and

WHEREAS, a public hearing on this proposal was held on the 3rd day of June, 1998 to consider the Establishment of Extension No. 12 to the New Windsor Consolidated Water District; and

WHEREAS, there were no objections formal or informal forthcoming from the spectators in attendance at the public hearing, and no one spoke in opposition to the establishment of the proposed extension; and

WHEREAS, the Establishment of Extension No. 12 to the New Windsor Consolidated Water District was subject to a permissive referendum and there have been no objections.

BE IT RESOLVED that the Town Board of the Town of New Windsor adopt a Resolution Establishing Extension No. 12 to the New Windsor Consolidated Water District to service the residents of Mount Airy Mobile Home Park with town water.

BE IT FURTHER RESOLVED that the Town Clerk furnish two certified copies of the within Resolution to be forwarded to NYS Department of Audit and Control.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

#4 On Agenda – Receive and File-Notice of Claim

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Claim submitted by Nicholas R. Antonelli, 225 Garden Street, New Windsor, New York for a sewage backup which occurred during a rain storm on June 16, 1998. Same being referred to the Attorney for the Town.

#5 On Agenda – Receive and File-Notice of Claim

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Claim submitted by Robert and Luciana Chwens, 242 Spruce Street, New Windsor, New York for a sewage backup which occurred during a rain storm on June 16, 1998. Same being referred to the Attorney for the Town.

#6 On Agenda – Motion-Authorization for Supervisor to Execute Easement Agreement-Sewage Ejection Pump-SD#23

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor authorize Supervisor Meyers to execute the following Easement Agreements for maintenance of Sewage ejection pumps in Sewer District #23:

WORTMANN, MICHAEL S. – 120 Moores Hill Road
Section 34, Block 1, Lot 17;

LONGCORE, WILLIAM & CHRISTINE – 258 Riley Road
Section 35, Block 1, Lot 75;

Roll Call: All Ayes

Motion Carried: 5-0

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GENERAL

#7 On Agenda – Motion-Authorization to Purchase Various Recreation Equipment

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the purchase of various recreation equipment for use at the town parks and authorize transfer of necessary funds, amount not to exceed \$27,000.00, from the Parklands Fund to General Fund.

Roll Call: All Ayes

Motion Carried: 5-0

#8 On Agenda – Motion-Authorize Issuance of Solicitors Permit

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor authorize the issuance of a solicitors permit submitted by Michael Kendrick (veteran) One Farmers Mills Apartments, Carmel, New York to sell food items at 41 Windsor Highway, New Windsor, New York. Permit fee to be waived.

Roll Call: All Nays

Motion Lost: 5-0

#9 On Agenda – Motion-Waiver of Public Hearing-Condemnation Actions-Town Wide Drainage Project

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, NYS Eminent Domain Law Section 206 provides for exemptions from compliance with the provisions of that Article under certain circumstances; and

WHEREAS, having been advised by an opinion of the Attorney for the Town based on the appraisal for the project as to the minimal damages involved with respect to the following two parcels which are the subject of the condemnation action, that is:

- (1) Kopman 255.00
- (2) Villafane 1,286.00

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Windsor as condemnor, declare that in its opinion the necessary condemnation action is de minimis in nature under Eminent Domain Law Section 206(D); and

BE IT FURTHER RESOLVED that the Town Board of the Town of New Windsor determine to proceed with the condemnation but not hold a public hearing on the matter by reason of the aforesaid exemption; and

BE IT FURTHER RESOLVED that the Attorney for the Town be directed to proceed with court proceedings for acquiring title to the necessary easements and immediate possession under the Eminent Domain Law for the properties of Kopman and Villafane.

Roll Call: All Ayes

Motion Carried: 5-0

#10 On Agenda – Motion-Authorization for Supervisor to Execute Easement-Town Wide Drainage Project Phase 2B & 2A

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor authorize the Supervisor to execute the following easements:

PHASE 2A:
Cicchetti, Orfeo

49-1-26

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PHASE 2B:

McQuade Foundation	37-1-49
Moresco, Vincent J. & Susan J.	73-7-7
Foschini, Errol	80-6-9

Roll Call: All Ayes

Motion Carried: 5-0

#11 On Agenda – Receive and File-Petition for Zone Change-Section 17, Block 4, Lots 15, 16 & 17

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Petition for a zone change submitted by Fred E. Maute, Esq. on behalf of Charles Valois, Ersilia Sidoli and Rehka Singh. Request is to change the zoning of Section 17, Block 4, Lots 15, 16 & 17 from R-4 to NC. Same being referred to the New Windsor Planning Board for their recommendation.

#12 On Agenda – Receive and File-Notice of Claim

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Claim submitted by Nicholas R. Garziona, 228 Oak Street, New Windsor, New York for damage to his driveway during a rain storm on June 16, 1998. Same being referred to the Attorney for the Town.

#13 On Agenda – Receive and File-Town Wide Drainage Project Easements-Phase 2A

Hearing no objection, the Town Board of the Town of New Windsor receives and files the following Drainage Easements for Drainage Project – Phase 2A:

(1) Catanzaro, Charles	45-1-41.1
(2) Prendergast, Patricia W.	49-1-2
(3) DiGregorio, Lawrence P. & Claudette	49-1-3
(4) Storey, Richard F. & Diane M.	49-1-6
(5) Lu, Chien-Min & Yao-Ming	45-1-36
(6) Hess, Anne & Pascale, Mary	45-1-37
(7) Headlee, Jan A.	45-1-40.21
(8) Vitolo, Vittorio & Lucy	49-1-25
(9) Vitolo, Reziero	49-1-27
(10) Rottmeier Development Co., Inc.	45-1-40.1
(11) Wennet, Etta	45-1-39
(12) Harris, Benjamin	45-1-39
(13) Kroun, Renee	45-1-35
(14) William Horowitz Corp.	45-1-40.23

#14 On Agenda – Motion-Advertise for Fuel Oil Bids

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise calling for sealed bids for Fuel Oil for the 1998-99 heating season for the heating of all Town buildings which are heated by fuel oil. Said bids to be received and publicly opened on the 23rd day of July, 1998, at 3:00 P.M. at the Town Hall, 555 Union Avenue, New Windsor, New York. Also, that the Town Board reserves the right to accept or reject any and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

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#15 On Agenda – OFFICIALS REPORTS

The following reports were received, recorded and filed with the Town Clerk:

Police Report	Month of May 1998
Building Department Report	Month of May 1998
Town Justice Suttlehan's Report	Month of May 1998
Tax Receiver's Final Statement	1998
Town Justice Suttlehan's Report	Month of June 1998
Recreation Report	Month of June 1998
Town Clerk's Report	Month of June 1998

#16 On Agenda – PUBLIC FORUM

TAPE 1, SIDE A, TAPE #139

Peter Rapa, 22 Spring Rock Road: Spoke regarding storm damage to his property.
Supervisor Meyers asked Highway Superintendent Pullar to inspect the damage incurred.
DISCUSSION CONTINUED TAPE 1, SIDE A, TAPE #178

Hearing no others wishing to speak, Supervisor Meyers entertained a motion to close the Public Forum Portion of the Agenda.

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.
Roll Call: All Ayes Motion Carried: 5-0

#17 On Agenda – ADJOURN

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Regular Town Board and Water Board Meeting at 7:46 P.M.
Roll Call: All Ayes Motion Carried: 5-0

Respectfully submitted,

Dorothy H. Hansen

DOROTHY H. HANSEN
TOWN CLERK

DHH:sh